vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6117 OF 1996

Sabu Kobbanna Harijan ... Petitioner

V/s.

The Deputy Engineer & anr. ... Respondents

WRIT PETITION NO.6120 OF 1996

Malkappa Amasiddha Kumbhar ... Petitioner

V/s.

The Deputy Engineer & anr. ... Respondents

Ms.Seema Sarnaik for Petitioner
Mr.S.K. Chinchalikar, AGP, for Respondent Nos.1 and 2

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 18, 2006**

P.C.:

. These petitions challenge the common order of the Industrial Court dated 17.9.1996. The Industrial Court in Revision has allowed the Revision Application filed by Respondent No.1 and has dismissed the complaint filed by the Petitioners. Both the Petitioners were employed as Muster Assistants with Respondent No.1 from 29.5.1984 till their services were terminated on 15.11.1987. The Petitioners alongwith other workers filed complaints in the Labour Court. On the complaint being allowed, revision applications were filed by Respondent No.1. A common order was passed in the revision applications.

2. I have already decided on 25.8.2004 Writ Petition No.6119 of 1996 arising out of revision application No.205 of 1994. The same judgment which is impugned in the present petition was challenged in that petition. Therefore, for the reasons set out in Writ Petition No.6119 of 1996, the present petitions are allowed and the judgment of the Industrial Court qua Revision Application Nos.208 of 1994 and 209 of 1994 is set aside. Similar directions as are given in para 6 of the decision of 25.8.2004 in writ petition No.6119 of 1996 will follow in the present Petitions.

3. Ms.Sarnaik, appearing for the Petitioners, submits that a Special Leave Petition preferred by the Respondents against the Judgment in Writ Petition No.6119 of 1996 has bee dismissed on 25.2.2005.

4. Writ Petitions are disposed off accordingly.